

87<sup>th</sup> Legislative Session – 2012

Committee: Senate Commerce and Energy

Thursday, February 16, 2012

P - Present  
E - Excused  
A - Absent

Roll Call

P Adelstein  
P Buhl  
P Johnston  
P Lederman  
E Rave  
P Nygaard, Vice-Chair  
P Nelson (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Nelson.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 14<sup>TH</sup>.

Moved by: Nygaard  
Second by: Johnston  
Action: Prevailed by voice vote.

HB 1059: revise Article 9 of the Uniform Commercial Code.

Presented by: Senator Eldon Nygaard  
Proponents: Representative David Lust  
Brett Koenecke, SD Bankers Association (Handouts: #1 & 2)  
Mike Lauritsen, Secretary of States Office

MOTION: DO PASS HB 1059

Moved by: Adelstein  
Second by: Lederman  
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Nygaard, Nelson (Tom)

Excused: Rave

MOTION: PLACE HB 1059 ON CONSENT CALENDAR

Moved by: Johnston

Second by: Lederman

Action: Prevailed by voice vote.

The gavel was passed to Senator Johnston.

HB 1079: revise certain publication date citations for references to the International Building Code.

Presented by: Senator Thomas Nelson

Proponents: Yvonne Taylor, SD Municipal League

MOTION: DO PASS HB 1079

Moved by: Lederman

Second by: Adelstein

Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Nelson (Tom)

Excused: Rave, Nygaard

MOTION: PLACE HB 1079 ON CONSENT CALENDAR

Moved by: Lederman

Second by: Buhl

Action: Prevailed by voice vote.

The gavel was returned to the chair.

HB 1121: amend rate stability provisions to include plant additions.

Presented by: Representative Roger Solum

Proponents: Steve Willard, SD Electric Utilities

Chris Nelson, Public Utilities Commission

MOTION: DO PASS HB 1121

Moved by: Johnston  
Second by: Lederman  
Action: Prevailed by roll call vote. (4-0-3-0)

Voting Yes: Buhl, Johnston, Lederman, Nelson (Tom)

Excused: Adelstein, Rave, Nygaard

HB 1192: amend certain limited liability company language.

Presented by: Tom Barnett, State Bar Association of South Dakota

MOTION: DO PASS HB 1192

Moved by: Johnston  
Second by: Buhl  
Action: Prevailed by roll call vote. (4-0-3-0)

Voting Yes: Buhl, Johnston, Lederman, Nelson (Tom)

Excused: Adelstein, Rave, Nygaard

MOTION: PLACE HB 1121 ON CONSENT CALENDAR

Moved by: Johnston  
Second by: Buhl  
Action: Prevailed by voice vote.

HB 1227: revise certain provisions with regard to the rights of industrial and construction equipment dealers.

Presented by: Senator Corey Brown  
Proponents: Dan Healy, Self, Sioux Falls  
Dean Krogman, SD Independent Community Bankers  
Myron Rau, SD Auto Dealer's Association  
Opponents: David Owen, SD Chamber of Commerce and Industry

MOTION: AMEND HB 1227

1227jb

On page 2, line 7, of the House State Affairs Committee engrossed bill, after "chapter" insert "from manufacturer authorized facilities in this state".

Moved by: Nygaard  
Second by: Lederman  
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1227 AS AMENDED

Moved by: Lederman  
Second by: Buhl  
Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Buhl, Johnston, Lederman, Nygaard, Nelson (Tom)

Excused: Adelstein, Rave

MOTION: ADJOURN

Moved by: Johnston  
Second by: Lederman  
Action: Prevailed by voice vote.

Lois Henry  
Committee Secretary

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Tom Nelson, Chair